FCS11- SOP for Evidence Receiving, Handling, and Disposition

Table of Contents

1. Scope

1.1. To describe the guidelines for the evidence submissions, receiving evidence, handling and storage of evidence, and evidence disposition in the Forensic Chemistry Unit (FCU) of the Department of Forensic Sciences (DFS)

2. Background

2.1. To establish the practices for documenting the receipt, handling, and disposition of evidence to conform to the requirements of the Department of Forensic Sciences (DFS) Forensic Chemistry Unit (FCU) *Quality Assurance Manual*, the accreditation standards under ISO/IEC 17025:2017, and any supplemental standards.

3. Safety

3.1. Read Material Safety Data Sheets to determine the safety hazards for chemicals and reagents used in the standard operating procedures.

3.2. Wear personal protective equipment (e.g., lab coat, gloves, mask, eye protection), when carrying out standard operating procedures.

3.3. Note, when handling items that are suspect to contain fentanyl, or fentanyl analog, perform accessioning in fume hood is advised when possible. If the

substance is powder or has the potential for aerosolization, then the item shall be accessioned and sampled in the fume hood.

4. Materials Required

4.1. Tamper-indicating evidence tape

4.2. Heat seal bags

4.3. Heat seal machine

5. Standards and Controls

5.1. Not applicable

6. Calibration

6.1. Not applicable

7. Procedures

7.1. Submission of Evidence and Receiving Evidence

7.1.1. Prior to submission of evidence, the submitting agency shall transmit a request for analysis to the Forensic Intelligence Unit (FIU) via the DFS website and completing the FSL Request for Testing Form at https://dfs.dc.gov/page/fsl-request-testing.

7.1.2. The Forensic Science Laboratory (FSL) requires the official submission form, FSL Request for Testing Form, to be completed for all controlled substance evidence submitted.

7.1.3. Prior to submitting evidence, the submitting agency shall notify / clarify if the evidence has any:

7.1.3.1. Hazards (chemical or biological)

7.1.3.2. Special handling instructions (needles or sharps)

7.1.3.2.1. For safety reasons, it is the policy of the FCU to dispose all needles or sharps after processing evidence. A small sample of secondary evidence will be retained if requested by the submitter.

7.1.3.3. Perishables

7.1.3.3.1. Perishable items are not accepted for testing by the FCU and will be returned to the submitting agency upon receipt.

7.1.4. Evidence to be analyzed by the FCU is received from law enforcement agencies or those otherwise associated with the judicial system.

7.1.5. To ensure accountability of evidence, whenever possible, evidence shall not be directly delivered to the FCU staff, but first submitted to Central Evidence Unit (CEU) staff and be entered into the Laboratory Information management system (LIMS).

7.1.6. The FCU cannot receive large or exceedingly bulk evidence, as evaluated on a case-by case basis by the FCU Manager, or designee.

7.1.7. Items received by the FCU shall be under a seal to protect the item(s) from cross-contamination and ensure safety of laboratory personnel.

7.1.7.1. When practicable, the items shall be placed under a heat seal.

7.1.7.1.1. Tamper-proof tape-seals are also acceptable.

7.1.7.2. Seals shall include, at minimum, the initials, signature, or unique personal identifier of the individual affixing the seal.

7.1.8. The FCU shall maintain records of requests for analysis and of the respective items of evidence. A unique identifier shall be assigned to each case submitted for testing and the information pertaining to it will be retained in its own electronic case file. For chain-of-custody purposes, the evidence shall be compared to the submission documentation, any significant observations of irregularity shall be documented in the case file or record, and the submitter informed promptly. This file or record shall include at minimum the following:

7.1.8.1. Submission documents or copies (or electronic equivalent), such as property forms,

7.1.8.2. Identity of party requesting analysis and the date of request,

7.1.8.3. Description of items of evidence submitted for analysis,

7.1.8.4. Identity of the person who physically delivered the evidence, along with date of submission,

7.1.8.5. Chain of custody record (or electronic equivalent), and

7.1.8.6. Unique case identifier.

7.2. Evidence Accessioning Procedure

7.2.1. The DFS Central Evidence Unit (CEU) is responsible for the initial entering of submitted evidence into the LIMS system.

7.2.2. The FCU Lead Chemist or designee will receive evidence from CEU and transfer it to the FCU Evidence Vault (Room 2118), where it will be assigned to an analyst.

7.2.3. The receiver will examine the evidence container(s) to ensure that proper seal(s) are in place. A proper seal is one in which there is no possibility that the contents of a container can be removed, altered or a substitution made without the seal being obviously disturbed.

7.2.4. Receipt of evidence will be documented at the time of transfer either electronically or on paper as part of the chain of custody.

7.2.5. All evidence received is to be assigned to analysts by the FCU Manager, Technical Lead, or designee.

7.2.6. Storage of Evidence

7.2.6.1. Access to the evidence storage area shall be granted only to persons with authorization and access shall be controlled. A system shall be established to document a chain of custody for evidence in the laboratory (see *DOM10 – Evidence Handling Procedures*).

7.3. Casework Evidence Handling Procedure

7.3.1. Integrity of Evidence

7.3.1.1. It is the responsibility of the analyst to maintain the integrity of the evidence at all times while in his/her custody. All evidence must be protected from loss, cross-transfer, contamination and/or deleterious change.

7.3.1.2. Evidence shall be properly secured (e.g., sealed). Appropriate storage conditions shall ensure that, insofar as possible, the composition of the seized material is not altered. All items shall be safeguarded against loss or contamination. Any alteration of the evidence (e.g., repackaging) shall be documented. Procedures shall be implemented to assure that samples are and remain properly labeled throughout the analytical process (see *DOM10 – Evidence Handling Procedures*).

7.3.1.3. Evidence shall only be actively worked when at least two personnel are present. This does not apply to secondary evidence (e.g., chemical washes or extracts), that are running on instruments during analysis.

7.3.1.4. When performing active investigations on a piece of evidence and the analyst must leave the room temporarily, the evidence must first be secured in a personal locker or other secure location.

7.3.2. Receipt of evidence from the Evidence Vault will be documented at the time of transfer either electronically or on paper as part of the chain of custody.

7.3.3. The analyst will examine the evidence container(s) to ensure that proper seal(s) are in place with proper identifiers.

7.3.4. All exhibits within a case will be inventoried and compared with the documentation on the submission form (or equivalent). The analyst will itemize the actual evidence received and include the following information:

7.3.4.1. The unique case identifier, the start date for the inventory of the listed parent item(s), and analyst initials.

7.3.4.2. A description of the exhibits within a case along with the corresponding sub-item number. The descriptors can include color, material type, package type, size, and count. Sub-items will be grouped based on the appearance of the packaging, contents, and analytical scheme.

7.3.4.2.1. The use of abbreviations in notes is acceptable as long as they are commonly used or are included in an accessible list.

7.3.5. If there are significant discrepancies in submission documentation or with evidence received, then the Lead Chemist or FCU Manager shall be notified as soon as possible. Discrepancies may include insufficient seals, mismatched suspect names, incorrect agency case numbers, or apparent missing evidence. In such cases the discrepancies and attempts to clarify them through available information will be documented as part of the case file on an Evidence Discrepancy Form (Document Control Number 1286).

7.3.6. It is sometimes necessary to contact the submitting officer to determine the cause of a discrepancy. If discrepancies with evidence need to be corrected by the submitting officer, then the evidence condition will be documented by the receiving analyst and verified by the FCU Manager or Lead Chemist. If appropriate, the evidence will be returned to the submitting agency for correction before analysis proceeds.

7.3.7. Each outer container (bag, envelope, box, *etc*.) shall be marked with a unique case identifier and the analyst's initials. The outer container is usually an evidence envelope, but it can be anything that contains exhibits for a case. In addition, an item designator is used with the unique case identifier to distinguish items within a case.

7.3.8. All exhibits contained within a case shall be labeled with the analyst's initials and the unique case identifier and item designators. In a case with numerous small items grouped together, such as small ziplocks, the exhibits may be placed in a container such as a ziplock on which the analyst has placed the unique case identifier and item designators and

his/her initials. If during testing a difference is noted, then the small items will be grouped appropriately and analyzed and labeled separately.

7.3.8.1. To minimize detailed labeling on small items such as very small metal foil packets, plastic bags or plastic bag corners, items may be placed in an additional plastic bag which can be sealed, fully labeled, and properly documented in the case notes.

7.3.9. All laboratory records such as analytical results, measurements, notes, calibrations, chromatograms, spectra and reports shall be retained in a secure fashion.

7.4. Cases Containing Possible Biohazards

7.4.1. Cases that contain items that could represent a possible biohazard to the analyst require special handling. While working with possible biohazards, proper precautions should be taken including wearing gloves, lab coat, and safety glasses, and taking extra care not to touch any part of your body, especially your face. If your work area should become contaminated, wash the area thoroughly with dilute bleach. Avoid touching uncontaminated surfaces (such as telephones, doorknobs, *etc*.) with soiled gloves. If you work in the hood, clean thoroughly with dilute bleach when you are finished. Whenever possible use disposable beakers, pipettes, Kimwipes, *etc*. and dispose in the biohazard container. Anything that is not disposable and has come in contact with bodily fluids needs to be washed with a solution of dilute bleach.

7.4.2. Some items that require special handling are the following:

7.4.2.1. Syringes - remove any exposed needles with the needle cutters. If the syringe needs to be analyzed, then the analyst should determine if the needle should be removed before the analysis begins or wait until after the analysis is completed. If the syringe is not exposed (capped, received in an appropriate biohazard container), then it is not necessary to remove the needle. See *FCS04 - SOP for Safe Handling and Analysis for CDS in Syringes* for guidance.

7.4.2.2. Latex pellets or anything else removed from the stomach or lower bowel - in the hood wash the pellets with a bleach solution while wearing double gloves, when practicable. All preliminary weighing and sampling of the pellet contents is done in the hood. When you are finished handling the pellets, place them in a ziplock bag. Clean the hood area with dilute bleach solution.

7.4.2.3. Items contaminated with blood or items identified as removed from a body cavity, the toilet, groin, crotch area, *etc*. could represent a biohazard and should be handled accordingly.

7.5. Evidence Disposition

7.5.1. The FCU is not designed to house long-term storage or bulk Controlled Dangerous Substance (CDS) evidence. The items of evidence shall be returned in a timely manner to the submitting agency after analysis is complete, unless they are deemed to be practice cases or for other information purposes

7.5.2. The FCU will make every effort to return cases to the submitting agency in a timely fashion (within two years); however, this process is dependent upon external agencies and significantly greater return times may occur.

7.5.3. An audit of retained casework will be performed as part of the evidence audit in order to determine the eligibility of evidence in categories of: (a) to be returned, (b) training, (c) information, or (d) destruction purposes.

7.5.4. Records shall be kept regarding the disposition (e.g., return, destruction, conversion to another use) of all items of evidence.

7.5.5. This may be accomplished through the chain of custody under normal circumstances.

7.5.6. Return of Evidence to the Submitting Agency

7.5.6.1. All items and sub-items within a case will be packaged to protect from loss, cross-transfer, and/or deleterious change. Whenever possible, evidence will be repackaged in the same condition as it was received.

7.5.6.2. If evidence needs to be repackaged (for example, containers are leaking or to assist with viewing in court) all containers added by an analyst will be labeled to indicate that they were not part of the original submission, where practicable.

7.5.6.3. Before evidence is sealed, the analyst will verify the total number of inventoried items and will ensure that each item is properly labeled with the analyst's initials, the unique case identifier, and item designators.

7.5.6.4. Outer evidence containers will be sealed and the seal labeled with the analyst's initials and date (inside the seal) before being returned to the submitting agency.

7.5.6.5. Note – if biohazardous evidence is to be returned to the customer, then appropriate biohazard labels shall be present on the outermost container.

8. Sampling

8.1. N/A

9. Calculations

9.1. N/A

10. Uncertainty of Measurement

10.1. N/A

11. Limitations

11.1. N/A

12. Documentation

12.1. FSL Request for Testing Form

12.2. FCU Sample Log, electronic or paper version

12.3. Evidence Discrepancy Form (Document Control Number 1286)

13. References

13.1. FCU Quality Assurance Manual (Current Version)

13.2. FCU SOPs (Current Versions)

13.3. Controlled Substances Standard Operating Procedures, Document FAD-CS-SOP, Forensic Science Center, Houston, Texas